

**Minutes of Planning Commission Meeting
held Monday, April 14, 2014, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



Call to Order

The meeting was called to order by Chairman Greg Sutton.

Roll Call

Greg Sutton, Chairperson
Terry DeLoach, Vice Chairperson
Bill Callan
David Dahl *Absent*
Georgette Dumont

Alternates: Rick Knight
Lee Dorson

Also present were Bill Mann, Senior Planner and Recording Secretary Amber Lehman.

Approval of Minutes

It was moved by Terry DeLoach, seconded by Georgette Dumont, and passed, to approve the minutes for March 24, 2014 as presented.

Correspondence

There was no correspondence.

Mr. Mann did indicate that a third application for this agenda was withdrawn by the applicant, *The Blind Rabbit* restaurant.

New Business

(A) PC #6-14 (14-100040)

Land Development Code Text Amendment, to amend Section 34-444(b) to add “Physical Fitness Facilities” to the list of Permitted Uses in the Commercial Service: CS zoning district. This application was submitted by a property owner in the CS zoning district to allow the use of an existing building on his property for a physical fitness establishment.

Staff Report:

Mr. Mann read the following staff report into the record:

The applicant owns a commercial property on the southwest corner of Shetter Avenue and 5th Street South. He would like to lease space in one of his buildings to a yoga instructor. Staff

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informed him that yoga studios were classified as physical fitness facilities, and as such, were not permitted uses in the CS zoning district that his property was located in. He has therefore applied to add 'physical fitness facilities' to the list of permitted CS district uses.

The CS district is located south of Beach Boulevard, generally between 5th and 10th Streets and Shetter Avenue and 1st Avenue South. This district serves as a transitional zone between the commercial uses on Beach Boulevard and the multifamily residential neighborhoods to the south. Staff has reviewed the range of uses currently permitted in the CS district, and it does not seem that the addition of physical fitness facilities would adversely impact those uses or the transitional function of the CS district in general. Physical fitness facilities are currently permitted in the C-2 district that lies across Shetter Avenue to the north, and also in our CBD, C-1, I-1 districts, indicative of the general compatibility of this type of use with a wide range of other business and commercial uses.

The proposed text amendment is not inconsistent with relevant Comprehensive Plan directives for the CS Future Land Use category, and it is compatible with the existing and proposed uses for the CS zoning district. This amendment should not impact property values for other CS or adjacent district uses. This amendment would not cause additional demand for public facilities over that of other permitted CS uses.

Recommendation: Approval.

Applicant:

The applicant was not present.

Public Hearing

Mr. Sutton opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

Seeing no one who wished to address the members, Mr. Sutton closed the public hearing.

Discussion

Ms. Dumont asked Mr. Mann if the current parking requirements are still applicable if the text is amended to include this use.

Mr. Mann replied that approving the use would not change the overall parking requirement for the property.

Mr. Sutton stated that adding this use should not have any effect on this zoning district.

Motion: It was moved by Mr. DeLoach, seconded by Ms. Dumont, to recommend approval to add “Physical Fitness Facilities” to the list of permitted uses in the Commercial Services: CS Zoning district.

Roll call vote: Ayes – Callan, Dumont, Sutton, DeLoach and Knight; motion carried unanimously.

(B) PC #8-14 (14-100054)– 131 1st Avenue North

Conditional Use application to operate a microbrewery within an existing restaurant located in the Central Business District: CBD zoning district, pursuant to Section 34-345 (d)(8) of the Jacksonville Beach Land Development Code. The property is located at 131 1st Avenue North (Zeta).

Staff Report:

Mr. Mann read the following staff report into the record:

The applicant has operated the *Zeta* restaurant on the northeast corner of 2nd Street North and 1st Avenue North for approximately one year. After opening the restaurant, he began researching the feasibility and requirements for operating a small brewery within the establishment. In discussions with staff, he was informed that microbreweries were only allowed by conditional use approval in the CBD.

The applicant has secured his required Federal license for the proposed brewing operation and is also in the process of securing his required State license as well. A sketch is included with the application showing the location and extent of the proposed microbrewery. With the brewery installed as shown, the restaurant would still maintain the minimum 150 seat capacity required for its current alcoholic beverage license. The applicant is aware that the Land Development Code definition of ‘microbrewery’ contains a maximum brewing capacity of 8,000 barrels a year (248,000 gallons). He indicated that would not be a problem and that the brewery would initially provide beer just for *Zeta*, but that their beer might also be distributed to other establishments in the future.

If approved, this would be the second microbrewery to operate in the CBD, the first one being the now defunct *Tortuga’s* restaurant (now the *Freebird Live* music venue). There are no records of any problems with *Tortuga’s* brewing operation when that establishment was in business in the mid ‘90s. There are currently two other microbreweries in operation in the City, *Engine 15 Brewing Company* (PC# 23-09) and the *Green Room Brewery* (PC #01-11), and staff is not aware of any problems associated with the operation of either of these microbreweries since their approvals.

Approval of this request should not impact the established character of this portion of the CBD. Adjacent property values should not be affected.

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Recommendation: Approval.

Applicant:

The applicant, Mark Vandelloo, 691 1st Street North, Jacksonville Beach, stated that he concurred with the staff report presented by Mr. Mann.

Public Hearing

Mr. Sutton opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

Seeing no one who wished to address the members, Mr. Sutton closed the public hearing.

Discussion:

Discussion ensued resulting in a consensus amongst the members that having a microbrewery will bring a different class to the downtown district, improving the area.

Motion: It was moved by Ms. Dumont, seconded by Mr. DeLoach, to approve the conditional use as presented.

Roll call vote: Ayes – Callan, Dumont, Sutton, DeLoach, and Knight; motion carried unanimously.

Planning & Development Director's Report

Mr. Mann advised the members that the next meeting has been rescheduled for Tuesday, April 29, 2014. There are currently three scheduled cases for the agenda.

Adjournment

There being no further business coming before the Commission, Mr. Sutton adjourned the meeting at 7:20 P.M.

Submitted by: Amber Maria Lehman

Approval:

/s/Greg Sutton

Chair

Date: April 29, 2014